

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO.
)	
JEAN-NICOLAS LATAILLADE,)	
)	
Defendant.)	

WAIVER OF INDICTMENT

I, Jean-Nicolas Lataillade, the above named defendant, accused of structuring cash transactions in violation of Title 31, United States Code, Section 5324, being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Date: _____

Jean-Nicolas Lataillade
Defendant

Kenneth D. Bynum
Counsel for Defendant

Ronald Dixon
Counsel for Defendant

Before: _____
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO.
)
JEAN-NICOLAS LATAILLADE,)
)
 Defendant.)

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

On or about October 10, 2003 through on or about May 24, 2004, in Fairfax County, Virginia, within the Eastern District of Virginia, the defendant, JEAN-NICOLAS LATAILLADE, did unlawfully and knowingly for the purposes of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, structure a transaction with one or more domestic financial institutions. To wit, throughout that time period, JEAN-NICOLAS LATAILLADE made the following cash deposits:

<u>Date</u>	<u>Amount</u>	<u>Account</u>
October 10, 2003	\$9,900.00	Bank of America ***** 8316
October 10, 2003	\$9,900.00	KFCU ***5500
October 14, 2003	\$9,900.00	Bank of America ***** 8316
October 15, 2003	\$9,900.00	Bank of America ***** 8316
October 15, 2003	\$9,900.00	KFCU ***5500
October 17, 2003	\$9,900.00	KFCU ***5500
October 20, 2003	\$9,900.00	Bank of America ***** 8316
October 20, 2003	\$9,120.00	Bank of America ***** 8316
October 21, 2003	\$9,000.00	Bank of America ***** 8316
October 22, 2003	\$8,000.00	Bank of America ***** 8316

<u>Date</u>	<u>Amount</u>	<u>Account Number</u>
May 6, 2004	\$9,900.00	Bank of America **** * 8316
May 6, 2004	\$9,900.00	KFCU ***5500
May 7, 2004	\$7,300.00	Bank of America **** * 8316
May 7, 2004	\$2,100.00	Bank of America **** * 8316
May 7, 2004	\$2,100.00	KFCU ***5500
May 7, 2004	\$900.00	KFCU ***5500
May 7, 2004	\$6,900.00	KFCU ***5500
May 10, 2004	\$9,900.00	Bank of America **** * 8316
May 11, 2004	\$9,900.00	Bank of America **** * 8316
May 12, 2004	\$5,960.00	Bank of America **** * 8316
May 17, 2004	\$9,900.00	Bank of America **** * 8316
May 17, 2004	\$9,900.00	KFCU ***5500
May 18, 2004	\$3,900.00	Bank of America **** * 8316
May 18, 2004	\$9,900.00	KFCU ***5500
May 19, 2004	\$9,910.00	Bank of America **** * 8316
May 19, 2004	\$9,900.00	KFCU ***5500
May 20, 2004	\$9,900.00	Bank of America **** * 8316
May 20, 2004	\$9,900.00	KFCU ***5500
May 21, 2004	\$9,900.00	Bank of America **** * 8316
May 24, 2004	\$9,900.00	Bank of America **** * 8316
May 24, 2004	\$2,700.00	Bank of America **** * 8316

Total: \$255,990.00

so that he would not trigger the filing of a Currency Transaction Report by depositing more than \$10,000 on a single day, all in violation of Title 31, United States Code, Section 5324.

FORFEITURE

If convicted of Count One of this criminal information, defendant shall forfeit to the United States \$59,400 in United States currency, in that it is property, real or personal, involved in, or fungible with, or traceable to such offense,

(Pursuant to Title 31, United States Code, Section 5317, and Title 28, United States Code, Section 2461).

Respectfully submitted,

Paul J. McNulty
United States Attorney

By: _____
Jessica Lombardo
Special Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
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CONSENT ORDER OF FORFEITURE

WHEREAS, defendant pled guilty to structuring cash transactions, in violation of Title 31, United States Code, Section 5324, and pursuant to his plea, agreed to forfeit all of his interests in certain monies that were involved in the offense to which he pled guilty; traceable to such monies, or a substitute for such monies, including the monies that are the subject of this order of forfeiture;

AND WHEREAS, defendant agrees to waive the provisions of Federal Rules of Criminal Procedure 7(c)(2), 32.2 and 43(a) with respect to notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment without further order of the Court;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
THAT:

1. United States currency in the sum of \$59,400.00 is forfeited to the United States of America pursuant to 31 U.S.C. § 5317 and 28 U.S.C. § 2461(c) as monies in which the defendant had an interest and that were involved in or traceable to the structuring cash transactions to which

the defendant pled guilty.

2. The Attorney General, the Secretary of Homeland Security and the Secretary of the Treasury are authorized to seize the property and to conduct any discovery proper in identifying or locating the property subject to forfeiture, in accordance with Fed.R.Crim.P. 32.2(b)(3).

3. The United States shall publish notice of this order and of its intent to dispose of the property one time in such manner as the Attorney General may direct. The United States shall also, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the property.

4. Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the final publication of notice or his receipt of notice, whichever is earlier, petition the court pursuant to 21 U.S.C. § 853(n) for a hearing to adjudicate the validity of his alleged interest in the property.

5. Following the Court's disposition of all petitions filed, or if no such petitions are filed within the time prescribed by law, upon proof of publication and proof of notice to any persons known to have alleged an interest in the property, the United States shall have clear title to the

property and may warrant good title to any subsequent purchaser or transferee.

Dated this ____ day of _____, 2005.

UNITED STATES DISTRICT JUDGE

WE ASK FOR THIS:

Jessica Lombardo
Special Assistant United States Attorney

JEAN-NICOLAS LATAILLADE
Defendant

Kenneth D. Bynum
Counsel for JEAN-NICOLAS LATAILLADE

Ronald Dixon
Counsel for JEAN-NICOLAS LATAILLADE

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STATEMENT OF FACTS

_____ Were this matter to go to trial, the United States of America would prove the following facts beyond a reasonable doubt:

1. JEAN-NICOLAS LATAILLADE maintains Kinecta Federal Credit Union (KFCU) account number ***5500, in the names of Jean-Nicolas Lataillade and Lori Morgan Lataillade, and Bank of America account number * * * * * 8316 in the names of J.N. Lataillade and Lori M. Lataillade.

2. Bank of America and Kinecta Federal Credit Union are "domestic financial institutions" within the meaning of Title 31, United States Code, Section 5324.

3. Between on or about October 10, 2003 and on or about May 24, 2004, JEAN-NICOLAS LATAILLADE made the following cash deposits, in amounts just under \$10,000, on the same or consecutive days, using Kinecta Federal Credit Union account number ***5500 and Bank of America account number * * * * * 8316:

<u>Date</u>	<u>Amount</u>	<u>Account Number</u>
October 10, 2003	\$9,900.00	Bank of America ***** 8316
October 10, 2003	\$9,900.00	KFCU ***5500
October 14, 2003	\$9,900.00	Bank of America ***** 8316
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May 24, 2004	\$2,700.00	Bank of America ***** 8316

Total: \$255,990.00

4. On each date listed above, JEAN-NICOLAS LATAILLADE had more than \$10,000.00 in cash to deposit.

5. Rather than depositing the entire amount that he had to deposit in a single transaction, JEAN-NICOLAS LATAILLADE made multiple cash deposits in amounts less than \$10,000.00, on the same or consecutive days, using Kinecta Federal Credit Union account number ***5500 and Bank of America account number * * * * * 8316.

6. At all times relevant to this statement of facts, JEAN-NICOLAS LATAILLADE had knowledge that Bank of America and Kinecta Federal Credit Union were obliged to file a Currency Transaction Report (CTR) on any transaction involving currency in excess of \$10,000.00, pursuant to Title 31, United States Code, Section 5313 and Title 31, Code of Federal Regulations, Section 103.22.

7. At all times relevant to this statement of facts, JEAN-NICOLAS LATAILLADE had knowledge that each deposit listed in paragraph 3 constitutes a "currency transaction" within the meaning of Title 31, United States Code, Sections 5313 and 5324, and would trigger the filing of a CTR if the amount exceeded \$10,000.00.

8. JEAN-NICOLAS LATAILLADE made multiple cash deposits on the same or consecutive days in amounts less than \$10,000.00, but totaling over \$10,000.00 when aggregated, although he intended to deposit an amount greater than \$10,00.00, for the purpose of evading the CTR requirement of Title 31 United States Code, Section 5313 and Title 31, Code of Federal Regulations, Section 103.22.

9. All of the above actions were undertaken by the defendant knowingly, wilfully

and unlawfully with the intent to do that which the law forbids and was not by mistake, accident, or other innocent reason.

Respectfully submitted,

Paul J. McNulty
United States Attorney

By:

Jessica Lombardo
Special Assistant U.S. Attorney

Seen and agreed to by:

Jean-Nicolas Lataillade
Defendant

Kenneth D. Bynum
Counsel for Defendant

Ronald Dixon
Counsel for Defendant